

23026 U.S. PTO
020904

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: XANO / 42

Applicant: Ralph A. Heasley

Title: A STABLE PARENTERAL FORMULATION OF LEVOMEPRMAZINE AND A
METHOD FOR STABILIZING SAID FORMULATION

22154 U.S. PTO
10/774803
020904

CERTIFICATE OF MAILING BY EXPRESS MAIL - 37 CFR 1.10

'Express Mail' mailing label number: EV355032709US
Date of Deposit: February 9, 2004

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I certify that this paper or fee (along with the enclosures noted herein) is being deposited with the United States Postal Service 'Express Mail Post Office to Addressee' service under 37 CFR 1.10 on the above date and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kenneth Eads

By: Kenneth Eads (person mailing paper)

UTILITY PATENT APPLICATION TRANSMITTAL

*Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450*

This is a request for filing, under 37 CFR § 1.53(b), a(n):

- ☒ **Original (non-provisional) application.**
- ☐ Divisional of prior application Serial No. __, filed on __.
- ☐ Continuation of prior application Serial No. __, filed on __.
- ☐ Continuation-in-part of prior application Serial No. __, filed on __.

PRELIMINARY AMENDMENT/CALCULATION OF FEES

- ☐ Please cancel claims __ without prejudice, and prior to calculating the fees. __ total claim(s), of which __ is(are) independent, is(are) pending after the amendment.
- ☐ Please enter the enclosed preliminary amendment identified below prior to calculating the fees. __ total claim(s), of which __ is(are) independent, is(are) pending after the amendment.
- ☒ **Small Entity Status is Requested**

☒ **The Fees are Calculated as Follows:**

Fee:	Number of Claims:	In Excess of:	Extra:	At Rate:	Amount:
Total Claims	93	20	73	\$18	\$1,314.00
Independent Claims	9	3	6	\$86	\$516.00
MULTIPLE DEPENDENT CLAIM FEE					
BASIC FEE					\$770.00
TOTAL OF ABOVE CALCULATIONS					\$2,600.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY					\$1,300.00
TOTAL					\$1,300.00

ENCLOSURES

☒ **Utility Patent Application Transmittal Form (in duplicate) containing Certificate of Mailing By Express Mail Under 37 CFR 1.10.**

☒ **Return Postcard.**

APPLICATION PAPERS

☒ **Utility Patent Application, with: cover sheet, 52 page(s) specification (including 93 total claim(s), of which 9 is(are) independent, and 1 page(s) abstract).**

☐ Drawings: sheet(s) of drawings (total figure(s)).

☐ Microfiche Computer Program (Appendix).

☐ Nucleotide and/or Amino Acid Sequence, including (all are necessary): Computer Readable Copy, Paper Copy (identical to computer copy), and Statement verifying identity of copies.

☒ **An Executed Declaration, Power of Attorney and Petition Form.**

☐ Copy of Executed Declaration, Power of Attorney and Petition Form from prior application identified above.

☐ Certified Copy of priority document(s) identified as attached above.

ADDITIONAL PAPERS

☒ **Assignment to Xanodyne Pharmacal, Inc. of 7300 Turfway Road, Suite 300, Florence, Kentucky 41042, Recordation Cover Sheet (Form PTO-1595)**

☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i)

☐ Preliminary Amendment (to be entered prior to calculation of fees)

☐ Information Disclosure Statement, sheet(s) Form PTO-1449, U.S. Patent Reference(s), Foreign Patent Reference(s) and Other Reference(s)

☐ Other:

CHECKS

☒ **A Check of \$1,300.00 for the filing fee.**

☒ **A Check of \$40.00 for the assignment recording fee.**


DEPOSIT ACCOUNT AUTHORIZATION

- ☐ Please charge Deposit Account No. 23-3000 in the amount of .
- ☒ **The Commissioner is authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 23-3000. A duplicate of this transmittal is attached.**
- ☐ **THE PAYMENT OF FEES IS BEING DEFERRED.**
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Respectfully Submitted,

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KAS/cmp


Kurt A. Summe
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